

United States Court of Appeals
for the Fifth Circuit

United States Courts
Southern District of Texas

FILED

August 05, 2025

Nathan Ochsner, Clerk of Court

No. 23-20574

CONSOLIDATED WITH
No. 24-20047

United States Court of Appeals
Fifth Circuit

FILED

July 15, 2025

Lyle W. Cayce
Clerk

JANICE JACKSON, *individually and as representative of* THE ESTATE OF
MICHAEL WAYNE JACKSON; ARLENE GALLIEN, *individually and as*
representative of THE ESTATE OF CARL WILEY, JR.; CAMILA
SIMPSON, *as next friend* XXXXXXXX XXXXX *a minor child*; GYNELL
HENDERSON, *as representative of* THE ESTATE OF RASHAD
HENDERSON; JOHN HENDERSON, JR.,

Plaintiffs—Appellees,

versus

CITY OF HOUSTON,

Defendant—Appellant.

Appeals from the United States District Court
for the Southern District of Texas
USDC No. 4:23-CV-52

Before GRAVES, ENGELHARDT, and OLDHAM, *Circuit Judges.*

J U D G M E N T

This cause was considered on the record on appeal and was argued by
counsel.

No. 23-20574
c/w No. 24-20047

IT IS ORDERED and ADJUDGED that the judgment of the District Court is REVERSED as to Plaintiffs' standing to assert equal protection claims and VACATED as to whether governmental immunity shields Houston from Jackson's negligence claim. This appeal is otherwise DISMISSED WITHOUT PREJUDICE. This cause is REMANDED to the District Court for further proceedings in accordance with the opinion of this Court.

IT IS FURTHER ORDERED that each party to bear their own costs pay to the costs on appeal to be taxed by the Clerk of this Court.

The judgment or mandate of this court shall issue 7 days after the time to file a petition for rehearing expires, or 7 days after entry of an order denying a timely petition for panel rehearing, petition for rehearing en banc, or motion for stay of mandate, whichever is later. See Fed. R. App. P. 41(b). The court may shorten or extend the time by order. See 5th Cir. R. 41 I.O.P.



Certified as a true copy and issued
as the mandate on Aug 05, 2025

Attest:

Jyle W. Cayce
Clerk, U.S. Court of Appeals, Fifth Circuit

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

August 05, 2025

Mr. Nathan Ochsner
Southern District of Texas, Houston
United States District Court
515 Rusk Street
Room 5300
Houston, TX 77002

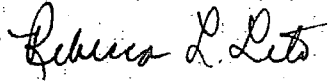
No. 23-20574 Jackson v. City of Houston
USDC No. 4:23-CV-52
USDC No. 4:23-CV-52

Dear Mr. Ochsner,

Enclosed is a copy of the judgment issued as the mandate and a copy of the court's opinion.

Sincerely,

LYLE W. CAYCE, Clerk



By:
Rebecca L. Leto, Deputy Clerk
504-310-7703

cc: Mr. Jeffrey I. Avery
Ms. Melissa Azadeh
Mr. Patrick Mason Dennis
Mr. Michael Patrick Doyle
Mr. Robert William Higgason
Mr. Reginald Edmund McKamie Sr.